

REMARKS

Claims 1, 2, 4-6, 8-10, 12 and 13 remain pending in this application. Claims 1, 5, 9 and 13 have been amended. No new matter has been added.

Claims 1-2, 4-6, 8-10 and 12-13 are rejected under 35 USC 103(a) on Lacek (US 2003/0040964) in view of Ariff (US 2002/0188509). This rejection is respectfully traversed with respect to the claims as amended.

The claimed subject matter is directed to management of points that are given to a customer and comprises a number of elements in combination. For example, in representative claim 1, the claimed combination includes a confirmation step, a designation acceptance step, an extracting step, a permitting step, a subtraction step and an addition step. The confirmation step confirms an expiration date of a giving source customer's points after accepting a request for giving points from the giving source customer. The number and expiration date of the giving source customer's points are stored in a customer database. The designation acceptance step accepts from the giving source customer a designation of a number of non-expired points and a destination customer. The extracting step extracts, from a belonging database, information of a group to which the giving destination customer belongs and a group to which the giving source customer belongs. The belonging database stores information correlating a customer and a group to which the customer belongs. The permitting step permits giving of points to the giving destination customer when the group to which the giving destination customer belongs and the group to which the giving source customer belongs match. The subtraction step subtracts the designated number of points from the giving source customer's number of points stored in the customer database. The addition step adds the number of points to the giving destination customer's number of points stored in the customer database. Claims 5, 9 and 13 recite similar limitations.

Claim 1 has been amended to further recite that the confirmation step, extracting step and permitting step are performed automatically, and that the permitting step permits giving of points to the giving destination customer only in a case where the group to which the giving destination

customer belongs and the group to which the giving source customer belongs match. Claims 5, 9 and 13 have been amended to recite similar limitations

A similar combination of elements, including automatically confirming an expiration date of a giving source customer's points, automatically extracting information of a group to which a giving destination customer belongs and a group to which the giving source customer belongs, and automatically permitting giving of points to the giving destination customer only in a case where the group to which the giving destination customer belongs and the group to which the giving source customer belongs match, is neither disclosed nor suggested by Lacek or Ariff, either individually or in combination.

The Examiner relies on Lacek as disclosing the invention of previously presented claims 1, 5, 9 and 13, except for matching information from a giving source customer group from a belonging database to a giving destination customer group to which a customer belongs, for which the Examiner refers to Ariff. Applicants respectfully disagree.

Ariff discloses a customer ID and an aggregate customer account associated therewith. The Examiner seems to indicate that a selected group of only supplementary members of this aggregate consumer account correspond to a group of members according to the present invention, among whom points can be given to each other. However, according to the disclosure of Ariff, the aggregate customer account specifies a primary member and permits the association of any number of supplementary members with the primary member. The primary member is an essential member and manages exchange of points among the supplementary members. Since Ariff discloses that a primary member is an essential member of a group, it is improper for the Examiner to allege that a group of only selected supplementary members in Ariff correspond to a group of members according to the present invention, among whom points can be given to each other.

Further, Applicants respectfully submit that even if Lacek and Ariff were combined as suggested by the Examiner, the resulting combination would not disclose or suggest the invention of claims 1, 5, 9 and 13 as amended. Rather, in the resulting combination a transferor of points would

still have to perform cumbersome tasks, including checking the expiration date of points of a transferee and setting up a group of members among whom points can be given to each other.

In contrast, in the invention of claims 1, 5, 9 and 13 as amended, a transferor can give points to a transferee without having to perform the foregoing cumbersome tasks. Based on identification information of the groups to which a transferor and a transferee belong as well as on identification information of the expiration date of points of the transferor, whether the transferor and the transferee belong to the same group and whether the points of the transferor have been expired are automatically determined. Upon determination that they belong to the same group and that the points have not been expired, giving of the points is automatically allowed. This inventive result cannot be produced from a combination of the disclosures of Lacek and Ariff.

The Examiner also relies on Lacek as disclosing the feature of permitting the giving of points to a transferee only prior to the expiration date of points of the transferee as defined in claims 4, 8 and 12. Applicants respectfully disagree. Lacek provides no disclosure or suggestion of permitting the giving of points only prior to the expiration date of points of a transferee. This deficiency of Ariff is not compensated for by the additional reference of Ariff, which also provides no disclosure or suggestion of permitting the giving of points only prior to the expiration date of points of a transferee.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 116692004700.

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Respectfully submitted,

By Alex Chartove
Alex Chartove

Registration No.: 31,942
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 400
McLean, Virginia 22102
(703) 760-7744